

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

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In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., <u>et al.</u> ,	:	Case No. 08-35653-KRH
	:	Jointly Administered
Debtors.	:	
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**MOTION OF AUGUSTUS C. EPPS, JR. FOR AN ORDER
AUTHORIZING GARRY M. GRABER TO APPEAR *PRO HAC VICE*
PURSUANT TO LOCAL BANKRUPTCY RULES 2090-1(E)(2)**

Augustus C. Epps, Jr., (the “Movant”), a member in good standing of the Bar of the Commonwealth of Virginia, an attorney duly admitted to practice before the United States Bankruptcy Court for the Eastern District of Virginia (the “Court”), and a partner with Christian & Barton, LLP, hereby moves this Court to enter an order authorizing Garry M. Graber, a member of the law firm of Hodgson Russ LLP, to appear *pro hac vice* before this Court to represent Manufacturers and Traders Trust Company, as Trustee (“M&T”) in the above-captioned chapter 11 bankruptcy cases pursuant to Rule 2090-1(E)(2) of the local Bankruptcy Rules of the United States Bankruptcy Court for the Eastern District of Virginia (the “Local Bankruptcy Rules”). In support of the Motion, the Movant states as follows:

1. Movant is a member in good standing of the Bar of the Supreme Court of Virginia and an attorney admitted to practice before the United States Bankruptcy Court for the Eastern District of Virginia.

2. Garry M. Graber is a partner in the Bankruptcy, Restructuring and Commercial Litigation Group of the law firm, Hodgson Russ, LLP, resident in its Buffalo, New York office and has practiced regularly before numerous bankruptcy courts throughout the United States in chapter 11 cases.

3. Mr. Graber is admitted, practicing, and in good standing as a member of the bar of the State of New York and the United States District Court for all four districts of New York. Mr. Graber has been practicing law since 1978. There are no disciplinary proceedings pending against him.

4. Movant requests that this Court authorize Mr. Graber to file pleadings in, to appear and be heard at hearings concerning, and to otherwise participate in these chapter 11 cases and any related proceedings on behalf of M&T. Movant and Christian & Barton, LLP will serve as local counsel with Mr. Graber in these proceedings.

Waiver of Memorandum of Law

5. There are no novel issues of law presented in this Motion and the Movant requests that this Court waive the requirement that all motions be accompanied by a written memorandum of law pursuant to Local Bankruptcy Rule 9013-1(G),.

No Prior Request

6. No prior request for the relief sought herein has been made to this Court in these bankruptcy cases or to any other court.

Notice

7. Notice of this Motion has been given to (a) the Office of the United States Trustee, (b) counsel for the Debtors, (c) counsel for the Official Committee of Unsecured Creditors, and (d) all persons receiving electronic notice in these chapter 11 cases.

WHEREFORE, Movasnt respectfully requests that this Court enter an order, (a) authorizing Garry M. Graber to appear *pro hac vice* in association with the Movant on behalf of M&T in connection with the above-captioned chapter 11 cases and (b) granting such other and further relief as is just and proper.

Dated: December 2, 2008
Richmond, Virginia

Respectfully submitted

/s/ Augustus C. Epps, Jr.

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Augustus C. Epps, Jr. (VSB No.

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Traders

*Counsel for Manufacturers &
Trust Company, as Trustee*

Certificate of Service

I certify that on December 2, 2008, a true and correct copy of the foregoing **Motion of Augustus C. Epps, Jr. for an Order Authorizing Garry M. Graber to Appear Pro Hac Vice Pursuant to Local Bankruptcy Rule 2090-1(e)(2)** was served on all persons receiving electronic notice in these cases and by first-class, U. S. mail to the following:

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/s/ Augustus C. Epps, Jr.
Augustus C. Epps, Jr.